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November 17, 2022

Hon. Mark W. Pedersen
United States Magistrate Judge
100 State Street
Rochester NY 14614

Re United States v. Shane Scaccia
21-cr-600

Dear Judge Pedersen:

First of all, permit me to apologize for not being present in court this morning for our status update conference. I failed to properly calendar this appearance in my schedule book.

The good news is that this morning I received a proposed plea agreement from AUSA Brett Harvey. Based on our preliminary discussions and my discussions with my client, it appears that this plea agreement will be accepted by Mr. Scaccia. Mr. Harvey has not gotten final approval of the plea agreement. Assuming that the United States Attorney approves this agreement, it is our intention to request that the case be scheduled for a plea with a district judge. In light of the foregoing, we are requesting that Mr. Scaccia's case be adjourned for about sixty days. Mr. Scaccia requests an exclusion of time from the speedy trial/speedy indictment clocks for the period of this adjournment.

As always, thank you for your courtesy and attention to this case.

Respectfully,

s/Matt Lembke

Matthew R. Lembke

MRL/ajb

pc: Brett Harvey, Esq., AUSA (by email)